



08/26/2005 16:46 FAX 2155684992

VOLPE-KOENIG

001/013

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### FACSIMILE COVER SHEET

TO: Office of Initial Patent Examination, Customer Service Center

FAX NO.: 571-273-8300

FROM: Scott Wolinsky; Registration No. 46,413

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the **PATENT APPLICATION** of:

Stephen E. Terry et al.

Application No.: 10/768,313

Confirmation No.: 6324

Filed: January 30, 2004

For: DYNAMIC CHANNEL QUALITY  
MEASUREMENT PROCEDURES FOR  
OPTIMIZING DATA TRANSMISSION IN A  
WIRELESS DIGITAL COMMUNICATION  
SYSTEM

Group: 2684

Examiner: Not yet known

Our File: 1-2-0192.5US

Date: August 26, 2005

**VIA FACSIMILE**

**TO 703-746-9195**


Enclosed are:

- 1) A Request For Corrected Filing Receipt, 2 pages;
- 2) A marked-up copy of the Filing Receipt, 2 pages;
- 3) A copy of the Declaration and Power of Attorney, 5 pages; and
- 4) A Supplemental Application Data Sheet, 3 pages.

Comments:

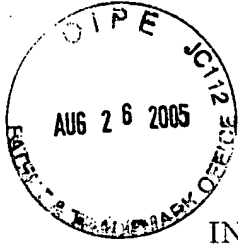
NOTIFY DIANE THATCHER IF TRANSMISSION IS NOT COMPLETE OR  
LEGIBLE.

I hereby certify that this paper is being transmitted via facsimile to 571-273-8300 at the United States  
Patent and Trademark Office on August 26, 2005.

  
Diane Thatcher

August 26, 2005  
Date

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PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the PATENT APPLICATION of:

Stephen E. Terry et al.

Our File: I-2-0192.5US

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OPTIMIZING DATA TRANSMISSION IN A  
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SYSTEM

TO 703-746-9195

Group: 2684

Examiner: Not yet known

## REQUEST FOR CORRECTED FILING RECEIPT

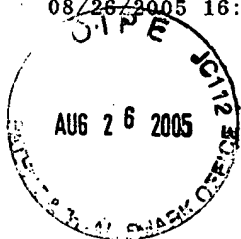
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed is a marked-up copy of the filing receipt for the above-identified patent application and a Supplemental Application Data Sheet. Upon proofing, it was noted that the filing receipt is incorrect. There are two changes that need to be made.

The Power of Attorney has been omitted. Attached is a copy of the Declaration and Power of Attorney showing that Power of Attorney is to Customer No. 24374.

With respect to the title, please delete "optmizing" and insert therefor --optimizing--.



Applicant: Stephen E. Terry et al.  
Application No.: 10/768,313

Applicants respectfully request that a corrected Filing Receipt be issued.

Respectfully submitted,

Stephen E. Terry et al.

By Scott Wolinsky  
Scott Wolinsky  
Registration No. 46,413  
(215) 568-6400

Volpe and Koenig, P.C.  
United Plaza, Suite 1600  
30 South 17th Street  
Philadelphia, PA 19103

SW/dt  
Enclosure

AUG 26 2005  
UNITED STATES PATENT AND TRADEMARK OFFICEUNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/768,313	01/30/2004	2684	942	I-2-0192.5US	2	14	5

24374  
VOLPE AND KOENIG, P.C.  
DEPT. ICC  
UNITED PLAZA, SUITE 1600  
30 SOUTH 17TH STREET  
PHILADELPHIA, PA 19103RECEIVED  
AM/PM

JUN 18 2004

VOLPE &amp; KOENIG, P.C.

CONFIRMATION NO. 6324

FILING RECEIPT



\*OC000000012964167\*

Date Mailed: 06/16/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Stephen E. Terry, Northport, NY;  
Stephen G. Dick, Nesconset, NY;  
James M. Miller, Verona, NJ;  
Eldad Zeira, Huntington, NY;  
Ariela Zeira, Huntington, NY;

## Assignment For Published Patent Application

InterDigital Technology Corporation, Wilmington, DE;

POWER OF ATTORNEY; THE PATENT PRACTITIONERS ASSOCIATED  
Domestic Priority data as claimed by applicantThis application is a CON of 10/029,569 12/21/2001  
which claims benefit of 60/290,877 05/14/2001WITH CUSTOMER NUMBER  
24374

## Foreign Applications

If Required, Foreign Filing License Granted: 06/16/2004

Projected Publication Date: 09/23/2004

Non-Publication Request: No

Early Publication Request: No

DOCKETED

7/18/04 Request for Corrected Filing  
Receipt

**Title**

Dynamic channel quality measurement procedures for **OPTIMIZING** data transmission in a wireless digital communication system

**Preliminary Class**

455

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



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Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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**DECLARATION FOR UTILITY OR  
DESIGN  
PATENT APPLICATION  
(37 CFR 1.63)**☒ Declaration Submitted with Initial Filing  
OR  
☐ Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

Attorney Docket Number I-2-192.1US

First Named Inventor TERRY, et al.

**COMPLETE IF KNOWN**

Application Number Not Yet Known

Filing Date Not Yet Known

Group Art Unit Not Yet Known

Examiner Name Not Yet Known

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**DYNAMIC CHANNEL QUALITY MEASUREMENT PROCEDURE FOR  
ADAPTIVE MODULATION AND CODING TECHNIQUES**

the specification of which (Title of the invention)

☒ is attached hereto  
OR☐ was filed on (MM/DD/YYYY) as United States Application Number or PCT International

Application Number and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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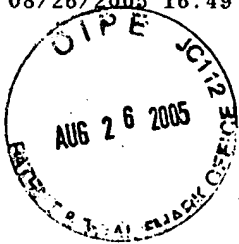
☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.
60/290,877	05/14/2001	

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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## DECLARATION — Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)

☐ Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: ☒ Customer Number 24374 → Place Customer Number Bar Code Label here

OR

☐ Registered practitioner(s) name/registration number listed below

Name	Registration Number	Name	Registration Number
Namely, the Attorneys of Volpe and Koenig, P.C.			

☐ Additional registered practitioner(s) named on supplemental Registered Practitioner Information sheet PTO/SB/02C attached hereto.

Direct all correspondence to: ☒ Customer Number 24374 OR ☐ Correspondence address below

Name	VOLPE AND KOENIG, P.C. DEPT ICC				
Address					
Address					
City		State		ZIP	
Country		Telephone		Fax	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor: ☐ A petition has been filed for this unsigned inventor

Given Name (first and middle (if any))		Family Name or Surname	
Stephen E.		TERRY	
Inventor's Signature			Date <u>12/18/05</u>
Residence: City	Northport	State	NY
Country	USA	Citizenship	USA
Post Office Address	15 Summit Avenue		
Post Office Address			
City	Northport	State	NY
ZIP	11768	Country	USA

☒ Additional inventors are being named on the 2 supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto



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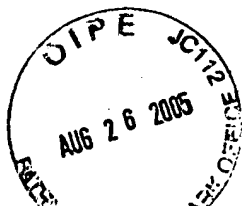
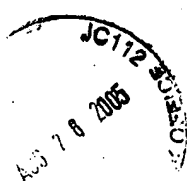
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<b>DECLARATION</b>	<b>ADDITIONAL INVENTOR(S)</b> Supplemental Sheet Page <u>1</u> of <u>2</u>
--------------------	----------------------------------------------------------------------------------

<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Stephen G.		DICK	
Inventor's Signature <i>Stephen G. Dick</i>		Date <i>20 Dec 2001</i>	
Residence: City Nesconset	State NY	Country USA	Citizenship USA
Mailing Address 61 Bobann Drive			
Mailing Address			
City Nesconset	State NY	ZIP 11767	Country USA
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
James M.		MILLER	
Inventor's Signature <i>James M. Miller</i>		Date	
Residence: City Verona	State NJ	Country USA	Citizenship USA
Mailing Address 18 Louisburg Square			
Mailing Address			
City Verona	State NJ	ZIP 07044	Country USA
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Eldad		ZEIRA	
Inventor's Signature		Date	
Residence: City Huntington	State NY	Country USA	Citizenship USA
Mailing Address 239 West Neck Rd.			
Mailing Address			
City Huntington	State NY	ZIP 11743	Country USA

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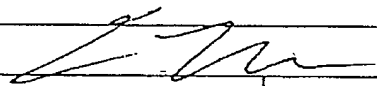
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

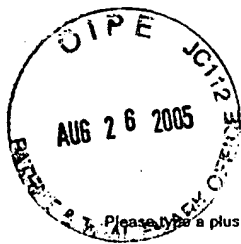
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## DECLARATION

ADDITIONAL INVENTOR(S)  
Supplemental Sheet  
Page 1 of 2

Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Stephen G.		DICK	
Inventor's Signature		Date	
Residence: City	Nesconset	State	NY
Country	USA	Citizenship	USA
Mailing Address 61 Bobann Drive			
Mailing Address			
City	Nesconset	State	NY
ZIP	11767	Country	USA
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
James M.		MILLER	
Inventor's Signature		Date	
Residence: City	Verona	State	NJ
Country	USA	Citizenship	USA
Mailing Address 18 Louisburg Square			
Mailing Address			
City	Verona	State	NJ
ZIP	07044	Country	USA
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Eldad		ZEIRA	
Inventor's Signature 		Date 12/20/01	
Residence: City	Huntington	State	NY
Country	USA	Citizenship	USA
Mailing Address 239 West Neck Rd.			
Mailing Address			
City	Huntington	State	NY
ZIP	11743	Country	USA

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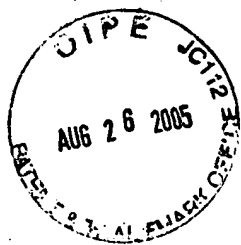
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**DECLARATION****ADDITIONAL INVENTOR(S)**  
**Supplemental Sheet**  
Page 2 of 2

<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Ariela		ZEIRA	
Inventor's Signature <i>A. J.</i>		Date <i>12/20/05</i>	
Residence: City	Huntington	State	NY
Country	USA	Citizenship	USA
Mailing Address 239 West Neck Rd.			
Mailing Address			
City	Huntington	State	NY
ZIP	11743	Country	USA
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Inventor's Signature		Date	
Residence: City		State	
Country		Citizenship	
Mailing Address			
Mailing Address			
City		State	
ZIP		Country	
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Inventor's Signature		Date	
Residence: City		State	
Country		Citizenship	
Mailing Address			
Mailing Address			
City		State	
ZIP		Country	

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**SUPPLEMENTAL APPLICATION DATA SHEET  
UNDER 37 CFR §1.76(c)**

(1) Inventor Information

Inventor One Given Name:: Stephen E.  
Family Name:: Terry  
Postal Address Line One:: 15 Summit Avenue  
City:: Northport  
State or Province:: New York  
Postal or ZIP Code:: 11768  
Citizenship Country:: United States of America  
Residence:: Northport, New York, U.S.A.

Inventor Two Given Name:: Stephen G.  
Family Name:: Dick  
Postal Address Line One:: 61 Bobann Drive  
City:: Nesconset  
State or Province:: New York  
Postal or ZIP Code:: 11767  
Citizenship Country:: United States of America  
Residence:: Nesconset, New York, U.S.A.

Inventor Three Given Name:: James M.  
Family Name:: Miller  
Postal Address Line One:: 18 Louisburg Square  
City:: Verona  
State or Province:: New Jersey  
Postal or ZIP Code:: 07044  
Citizenship Country:: United States of America  
Residence:: Verona, New Jersey, U.S.A.

Inventor Four Given Name:: Eldad  
Family Name:: Zeira  
Postal Address Line One:: 239 West Neck Road  
City:: Huntington  
State or Province:: New York  
Postal or ZIP Code:: 11473  
Citizenship Country:: United States of America  
Residence:: Huntington, New York, U.S.A.

Inventor Five Given Name:: Ariela  
Family Name:: Zeira  
Postal Address Line One:: 239 West Neck Road  
City:: Huntington  
State or Province:: New York  
Postal or ZIP Code:: 11473  
Citizenship Country:: United States of America  
Residence:: Huntington, New York, U.S.A.

## (2) Assignee Information

Name Line One:: InterDigital Technology Corporation  
Address Line One:: 300 Delaware Avenue  
Address Line Two:: Suite 527  
City:: Wilmington  
State or Province:: Delaware, U.S.A.  
Postal or ZIP Code:: 19801

## (3) Correspondence Information

Customer No.: 24374  
Name Line One:: Scott Wolinsky  
Name Line Two:: Volpe and Koenig, P.C., DEPT ICC  
Telephone No.: 215-568-6400

## (4) Application Information

Title Line One:: DYNAMIC CHANNEL QUALITY  
Title Line Two:: MEASUREMENT PROCEDURES FOR  
Title Line Three:: ~~OPTIMIZING~~ OPTIMIZING DATA  
Title Line Four:: TRANSMISSION IN A WIRELESS  
Title Line Five:: DIGITAL COMMUNICATION SYSTEM  
Total Drawing Sheets:: Two (2)  
Drawing Type:: Formal  
Application Type:: Utility  
Docket No.: I-2-0192.5US

(5) Representative Information

Representative Customer No.: 24374

(6) Domestic Priority Information

This application is a: Continuation of  
Application One: 10/029,569  
Filing Date: December 21, 2001

which is a: NonProvisional of  
Application Two: 60/290,877  
Filing Date: May 14, 2001